

IAP7 Rec'd PCT/PTO 26 JAN 2006

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Inventor

: Alexander Leybovich

Serial No.

: 10/553,504

Filed

: October 18, 2005

Title

: Systems And Methods For

Non-Contact Measuring Sputtering

Target Thickness Using Ultrasonics

Docket No.

Customer No. : 33805

: 020324 241P2

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir / Madam:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria,

January 24, 2006

(Date of Deposit)

Barbara Ann Sachs

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Pursuant to 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO/SB/08A. One copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This information disclosure statement, filed in accordance with 37 C.F.R. 1.97, shall not be construed as a representation that a search has been made. Further, the filing of this information disclosure statement shall not be construed to be an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b)

- XX
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- 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
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- No item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable

inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2). Attached is our check no. in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 50-2431 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered. Attached is our check no. in the amount of \$130.00 in payment of the fee under 37 C.F.R. 1.17(i)(1). Please credit or debit Deposit Account No. 50-2431 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. Each item of information contained in this Information a. Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1). b. No item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2). XX4. This Information Disclosure Statement includes Japanese Patent Publication Number 02277448 A, which contains an abstract in English, and therefore, its relevance may be determined based upon its English abstract. Respectfully submitted, WEGMAN, HESSLER & VANDERBURG

Andrew Lake

Reg. No. 53,909

Suite 200 6055 Rockside Woods Boulevard Cleveland, Ohio 44131 216.642.3342 January 24, 2006

PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known				
Application Number	10/553,504			
Filing Date	October 18, 2005			
First Named Inventor	Alexander Leybovich			
Art Unit				
Examiner Name				
Attamay Dookst Number	020224 241D2			

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (f known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		^{US-} 5,406,850	04-18-1995	Bouchard et al.	
		^{US-} 5,631,424	05-20-1997	Nieters et al.	
		^{US-} 6,439,054	08-27-2002	Gore et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ^{3 -} Number ^{4 -} Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	۲
		02277448 A	11-14-1990	Toshiba Corp.		
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Examiner	Date	
Signature	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DONT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.